

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DARWIN DAVELL PAGE,

Case No. 22-11571

Plaintiff,  
v.  
F. Kay Behm  
United States District Judge

EBONY NENROD, *et al.*,  
Kimberly G. Altman  
United States Magistrate Judge  
Defendants.

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**OPINION AND ORDER ACCEPTING AND ADOPTING  
THE MAGISTRATE JUDGE'S NOVEMBER 28, 2023  
REPORT AND RECOMMENDATION (ECF No. 26)**

Currently before the Court is Magistrate Judge Kimberly G. Altman's November 28, 2023 Report and Recommendation. (ECF No. 26). Magistrate Judge Altman recommends granting Defendants' motions to dismiss or alternatively for summary judgment. (ECF No. 26, 15, 19). The court is fully advised in the premises and has reviewed the record and the pleadings. No parties have filed objections. “[T]he failure to object to the magistrate judge’s report[] releases the Court from its duty to independently review the matter.”

*Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with the Magistrate Judge’s recommended disposition. Therefore, the court **ACCEPTS** and **ADOPTS**

the Magistrate Judge's Report and Recommendation (ECF No. 26), **GRANTS** the Wellpath Defendants' motion to dismiss or alternatively for summary judgment (ECF No. 15), **GRANTS** the MDOC Defendants' motion to dismiss or alternatively for summary judgment (ECF No. 19), and **DISMISSES** the complaint without prejudice.

**SO ORDERED.**

Date: January 3, 2024

s/F. Kay Behm  
F. Kay Behm  
United States District Judge